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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
VICINAGE OF NEWARK

_____	:	
ISRAEL ALMEIDA and	:	HON. KEVIN MCNULTY, U.S.D.J.
MICHAEL TUMMINELLI,	:	
	:	Civil Action No 16-3411 (KM-JBC)
Plaintiffs,	:	
	:	
v.	:	DECLARATION OF MATTHEW J. LYNCH
THE HON. N. PETER	:	
CONFORTI, et al.,	:	
	:	
Defendants.	:	
_____	:	

Matthew J. Lynch, of full age, hereby declares:

1. I am licensed to practice law in the State of New Jersey and am admitted to practice before the United States District Court, District of New Jersey. I am employed by the State of New Jersey, Department of Law and Public Safety, as a Deputy Attorney General.

2. I submit this Declaration on behalf of defendants Honorable N. Peter Conforti, Shaina Brenner, Honorable Carmen H. Alvarez, Honorable Marie P. Simonelli, and Christopher S. Porrino (pled as Robert Lougy), in support of a Motion to Seal or Otherwise Restrict Public Access to confidential exhibits, pursuant to L. Civ. R. 5.3(c).

3. On August 19, 2016, I will electronically file in this matter the Defendants' Motion to Dismiss Plaintiff's Verified Complaint for Declaratory and Injunctive Relief, and opposition to Plaintiffs' motion for Preliminary Injunction Relief.

4. Exhibit A to the brief to be filed in support of that motion consists of confidential firearms permit application materials pertaining to Plaintiff Israel Almeida.

5. Exhibit B to the brief to be filed in support of that motion consists of confidential firearms permit application materials pertaining by Plaintiff Michael Tumminelli.

7. Plaintiffs bring this Complaint alleging that Defendants denied each of them a New Jersey permit to carry a handgun, which they claim is in contravention of the Second Amendment to the United States Constitution.

8. Defendants cannot properly defend themselves in this action without referencing the firearms permit application records filed by plaintiffs.

9. These records to be attached to the Defendants' brief are clearly protected from public dissemination because they are confidential under State law. N.J.S.A. 47:1A-1.1; N.J.A.C. 13:54-1.15; see S. N.J. Newspapers, Inc. v. Twp. of Mt. Laurel, 660 A.2d 1173 (N.J. 1994). Additionally, Exhibit A contains personal information and identifiers of not just Plaintiffs but also other non-party individuals as well.

10. Although, to a certain extent, the Plaintiffs have effectively waived their right to privacy and confidentiality to these materials by filing this suit and subjecting their applications and interests to a public forum, Defendants and the undersigned, as State officials, are still obliged to protect the privacy and confidentiality interests of firearm permit applicants to the fullest extent possible, as these above-cited authorities mandate.

11. All parties will have access to these records as attachments to the Defendants' brief in support of the motion.

12. Defendants seek to file these records under seal to keep the information from public dissemination in order to protect the Plaintiffs' right to privacy in their firearms permit application materials. As all necessary parties will be provided access to these documents in their courtesy copies of the Defendants' moving papers, there is no less restrictive means available than the relief sought in this motion.

13. The undersigned now respectfully requests that the Defendants' motion to file exhibits under seal be granted.

14. I certify that the foregoing statements made by me are true and I understand that if the statements are willfully false, I am subject to punishment.

/s/ Matthew J. Lynch
Matthew J. Lynch
Deputy Attorney General

DATED: August 19, 2016